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A STUDY OF RAPE VICTIMS AND THEIR OFFENDERS

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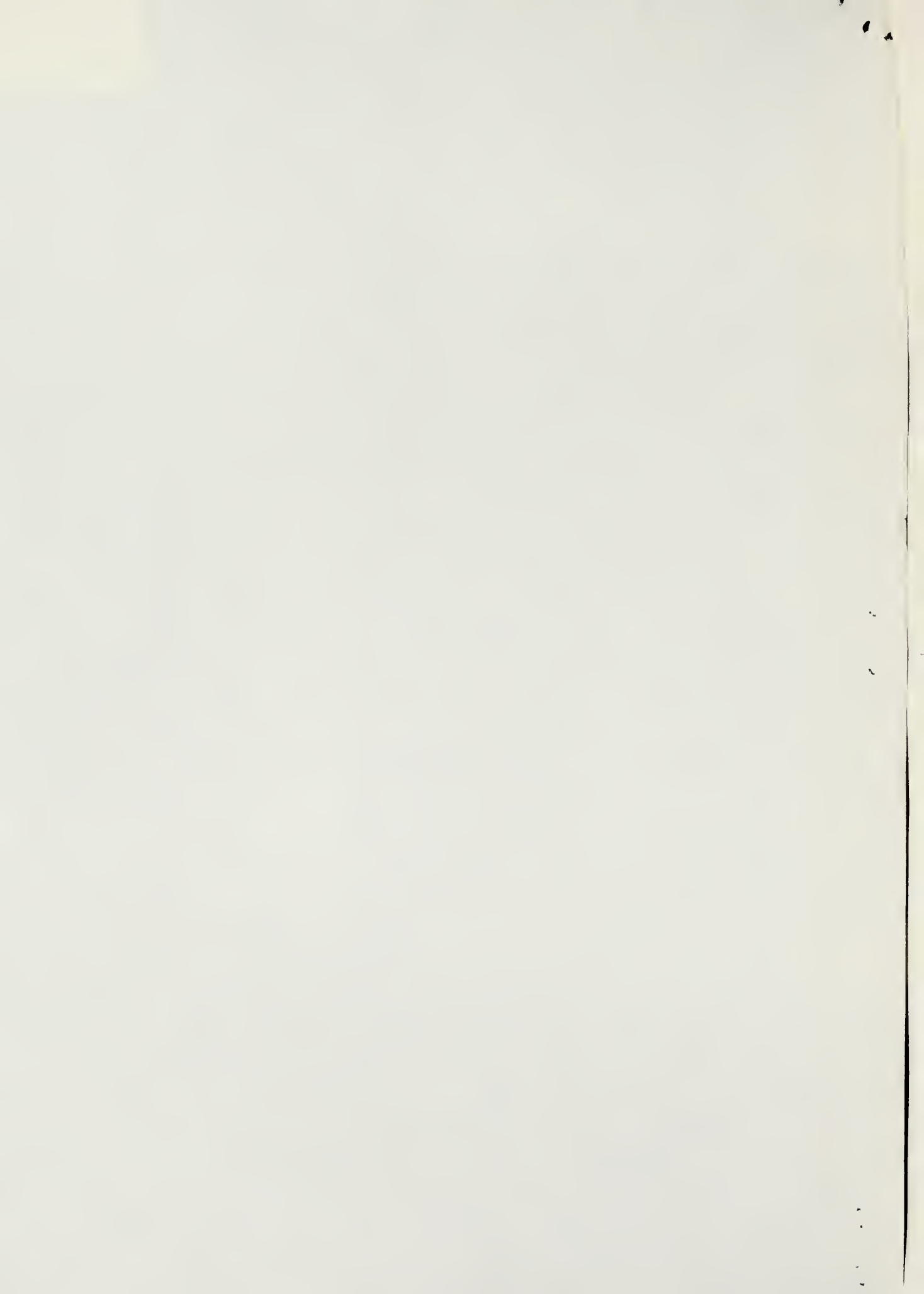
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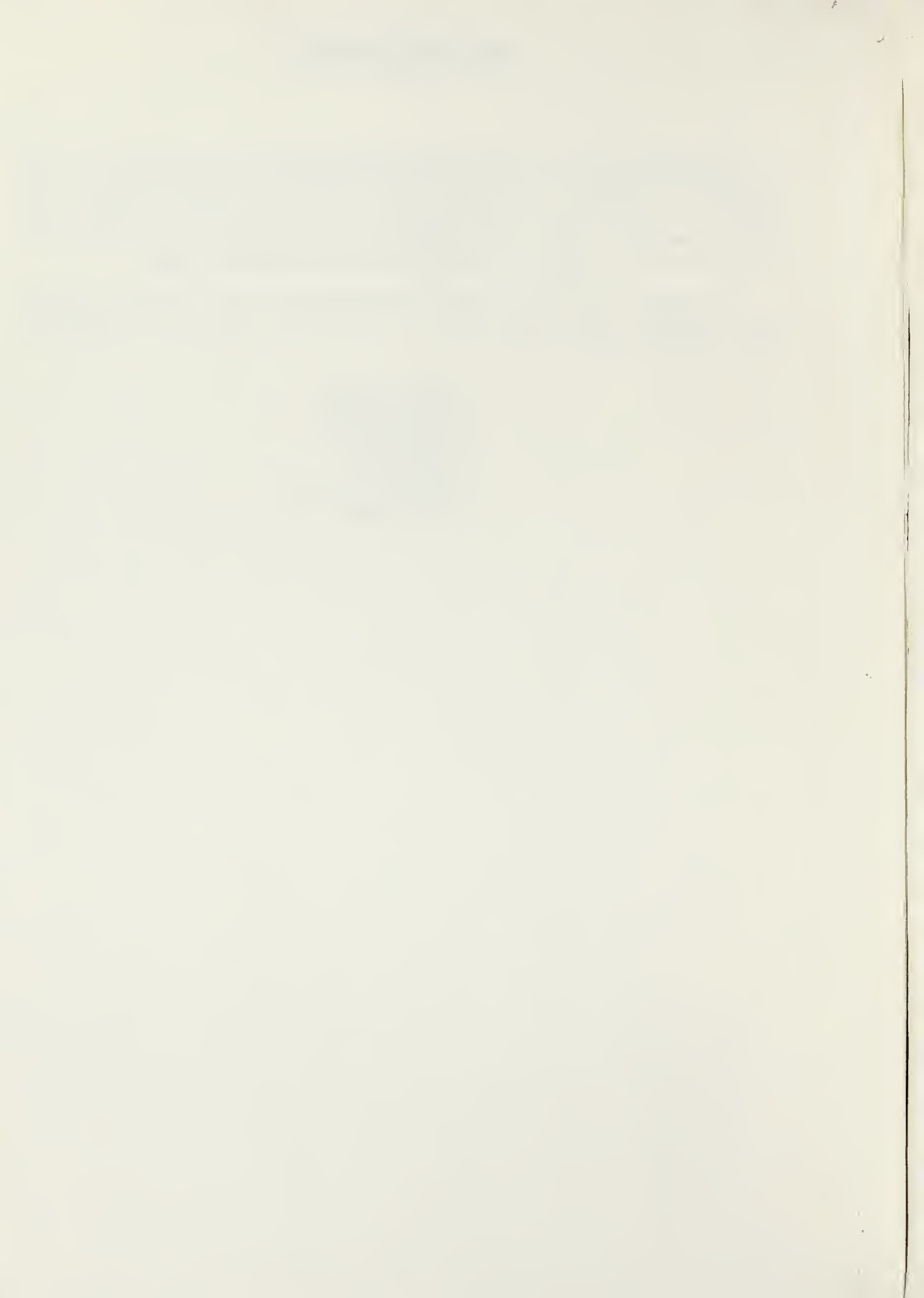
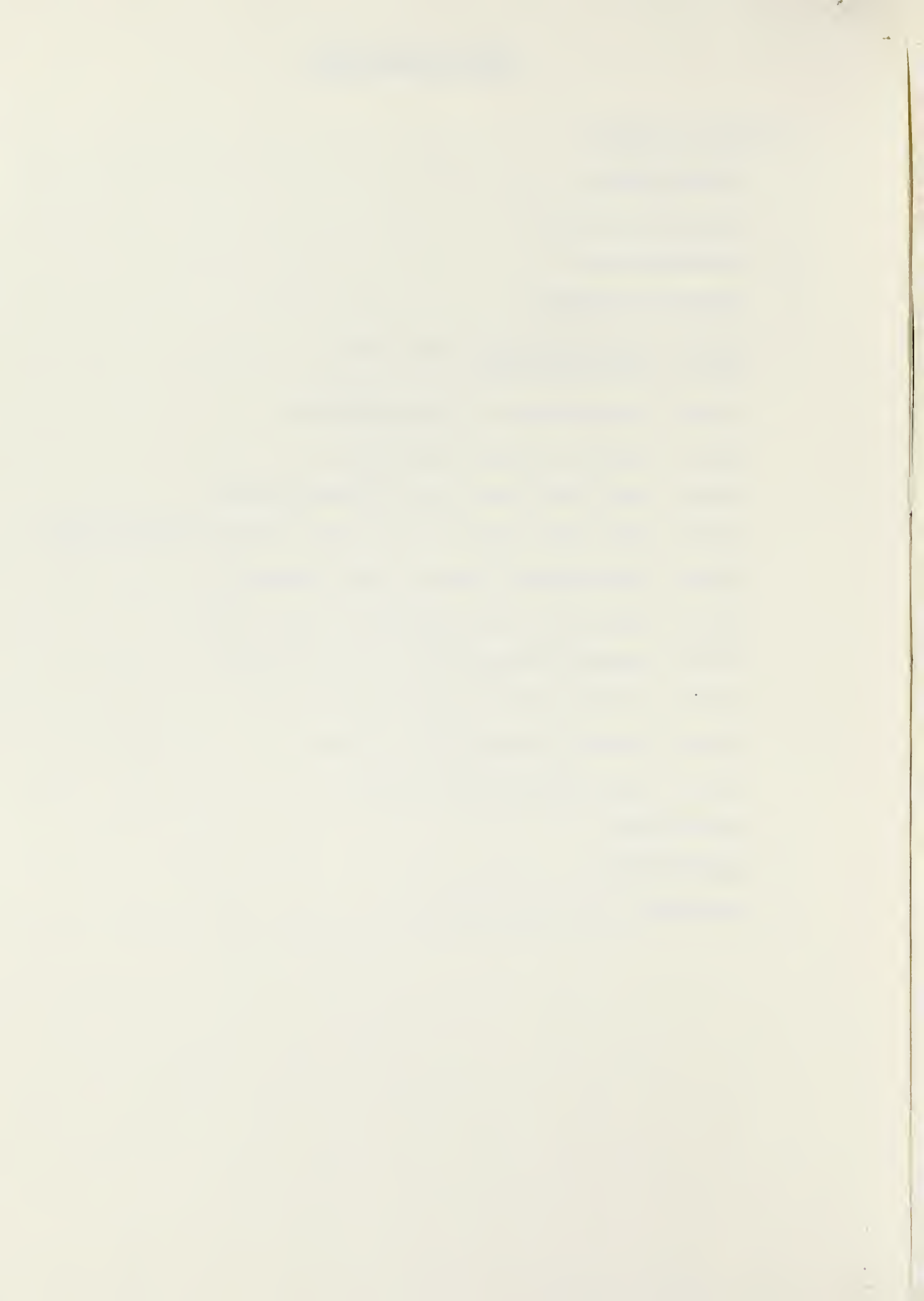


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I. INTRODUCTION

It is the purpose of this study to profile the victim and circumstances of rape committed by rape defendants in the Commonwealth of Massachusetts. The intent is to analyze characteristics belonging to the victim, i.e. age, sex, and race, and the elements of the rape offense, i.e., location of the crime and the type of weapon used. Victim/defendant comparative cross tabulations used in the analysis include sex, age, ethnic origin, rape offense charge, location of crime, and type of weapon used.

Preparation of this Rape Victim study was motivated by the Massachusetts Legislature's passage of the Rape Staircase Sentencing Law (MGL, Chapter 265, Section 22) in 1980, reclassifying the crime of rape from one offense category to five. The Office of the Commissioner of Probation measured the conviction rate and sentencing patterns for one year after the law went into effect in an earlier study, Convictions and Sentences for Rape Under Staircase Sentencing (March 8, 1985). The sample for that study was collected during the period of August 1, 1980 to July 31, 1981. It was from this data that the victim sample was developed.

While past research on rape has indicated the many advantages of profiling the defendant (i.e. demographic characteristics, conviction rates and sentences), the Office of the Commissioner of Probation sought to examine the characteristics of a large number of victims of this violent criminal offense.

II. LITERATURE REVIEW

Rape is a crime that has always existed in society in some form. Susan Brownmiller, author of Against Our Will, asserts that marriage, in its rudimentary form, was an uneasy compromise in which one woman invoked the protection of one man against other ravaging males (Brownmiller, 1975:15). Girls on City Streets, the 1935 rape study by Jacob and Rosamond Goldberg, testifies that inquiries into forcible rape are not exactly new.

The existing rape literature on victims is widespread with discrepancies in findings. Victim precipitation for example, is a term used to designate some degree of victim responsibility for the rape. Menachem Amir's study, Patterns in Forcible Rape, determined that 19% of the victims in his Philadelphia sample precipitated their rapes. In his article "Victim Precipitation and Violent Crime", Lynn Curtis produced a nationwide sample, that manifested a much lower ratio of 4% victim precipitation. Understanding the Rape Victim by Sedelle Katz and Mary Ann Mazur declares that such contrary findings are common and are rooted in the following six major sources of methodological inconsistency:

1. Some studies examine the broader area of sexual assault and include acts like exhibitionism and incest.
2. There are pronounced differences in the age groups of victims studied.
3. The traditional legal definition of rape encompasses the three elements of vaginal penetration, the threat or actual use of force, and the nonconsent of the victim. Researchers differ in the emphasis placed upon each element.



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4. Studies vary in their sources of sample selection in that they may refer to police, hospital, court, or social agency records, each of which creates its own bias.
5. Rape victim studies tend to describe the victim who has reported the rape (a small minority), excluding those victims who have not. This may result in a biased profile of the rape victim.
6. Few studies have compared samples of rape victims to control groups consisting of subjects who have not been raped or victims of other violent crimes.(Katz and Mazur, 1979:4)

Perhaps the fourth listed problem requires further explanation. The bias posed by police records can derive from a number of sources. In a 1977 collection of essays entitled Forcible Rape The Crime, The Victim and The Offender, Chappel, Geis, Schafer, and Siegel maintained that a broad definition of forcible rape utilized by the Los Angeles Police Department, contributed to that city's prolific production of forcible rape cases. The city's detectives classified any attempt by the offender to seek 'sexual gratification' as forcible rape. Thus, a study of forcible rape victims founded upon the records of the Los Angeles Police Department at this time would have been biased, since most police departments employ more conservative definitions of the crime.

Katz and Mazur bear testimony to their claim of inconsistent findings with comparative tables indicating the results of various studies regarding different variables associated with rape. When measuring the frequency of weapon use in a completed rape, Amir's 1971 Philadelphia study detected a 21% frequency, while Hursch's and Selkin's Denver study published in 1974 uncovered a 59% frequency (Katz and Mazur, 1979:158). Regarding the frequency of interracial rape, Schiff's inspection of Dade County, Florida data published in 1969, finds a 17% frequency; while a study of Oakland, California published in 1974 by Agopian and colleagues, reveals a 34.4% percent frequency (Katz and Muzur,1979:104). Combining the variables of age of victim and frequency of strangers reported as rapists, a 1968 inquiry by Hayman and colleagues, reported that 18% of adolescents between the ages of 13 and 17 claim their assailants to be strangers. In a 1975 study, Peters examined the same age group, and recorded a 38% frequency of stranger rapists. In both studies, samples were derived from hospital emergency rooms (Katz and Mazur, 1979:112).

Despite the disagreements among rape studies, some have reached similiar conclusions in terms of victim, offender, and situational characteristics. Three separate studies, Patterns of Forcible Rape by Menachem Amir, "Rapes in the City and County of Honolulu, 1981" by the Hawaii Criminal Justice Data Center, and Rape Victimization in 26 American Cities by M. Joan McDermott, examine several variables in common. While the former two studies rely upon police reports in Philadelphia and Honolulu as their sample sources, the latter is founded upon a survey of 10,000 households in each of 26 cities. These three rape inquiries agree that the majority of rape victims and offenders are between the ages of 15 and 24. They also concur that rape is primarily a nocturnal event transpiring between dusk and dawn. Both Amir and the Honolulu report conclude that rape occurs mainly on weekends and peaks in the summer months, particularly July; nevertheless, there are also dissimilarities in their findings. While Amir and McDermott determine that rape involves a high proportion of blacks as both victims and offenders, the Honolulu report detects substantially lower representation by blacks in both categories. This difference in findings may be attributed to the small black population in Honolulu.

To illustrate this point, 1960 Bureau of Census statistics reveal that Amir's Philadelphia population is 26.4% black, while Census figures for 1980 show Honolulu to be merely 1.2% black. In terms of victim-offender relationships prior to the incident, Amir, the Honolulu report, and McDermott respectively discover that 42.3%, 64% and 80% of the incidents involve strangers. McDermott's survey, however, poses the methodological problem that victims may have avoided disclosure of friends, family members, or lovers who were offenders due to motivations of devotion or fear.

Disagreements also exist between practitioners and academicians. In Forcible Rape: A National Survey of the Response by Prosecutors, the Battelle Memorial Institute Law and Justice Study Center surveyed prosecutors in 150 United States cities concerning their appraisals of the factors most important in obtaining rape convictions. The most significant ten variables listed in the order of their perceived influence are: use of physical force, injury to victim, promptness of reporting, proof of penetration, resistance offered by victim, use of weapon, extent of suspect identification, relationship between victim and suspect, circumstances of initial contact, and witnesses. Chappell et. al., (1977:235-236) In the study, The Prosecution of Sexual Assaults, by Kristen Williams, 488 closed rape cases originating in the District of Columbia during 1973 and 1974 were examined. Although her data did not permit analysis of four of the variables, she found only two of the remaining six to be significant to convictions, the relationship between victim and suspect, and witnesses.

Other studies have attempted to link variables with convictions in rape cases. In their article, "Rape, Racial Discrimination and the Death Penalty", Wolfgang and Riedal examined capital sentencing in 1,265 rape cases in 11 Southern border states from 1945-1965. They conclude that a particular combination of demographic variables is most conducive to capital sentencing in rape cases -- a black offender and a white victim (B.M.I.L.J.S.G, 1977:19). Gary LaFree, in his article "Variables Affecting Guilty Pleas and Convictions in Rape Cases: Toward a Social Theory of Rape Processing", registers a varying conclusion. While comparing 124 forcible rape cases processed by the courts of a large midwestern city in 1970, 1973, and 1975, he did not find that the victim's race is the most influential predictor of convictions in that men who rape black women are less likely than white men to be convicted. Yet he asserted that black men accused of rape are less likely than white men to be convicted, although conviction rates for black men were higher when the victim is white. (Dorin, 1981:1669) The external validity, or the ability to generalize findings from the population studied to other populations, must be questioned in both of these studies. While Wolfgang and Riedal employ a large sample, it is confined to one section of the United States. LaFree's sample is both small and confined to one midwestern city.

Kanekar and Kolsawalla considered other variables in their article "Responsibility of a Rape Victim in Relation to Her Respectability, Attractiveness, and Provocativeness". These researchers devised profiles of victims with varying degrees of respectability, attractiveness, and provocativeness, asking 320 graduate students of the University of Bombay to determine conviction and sentencing of the offenders. The authors found that males tended to apportion greater responsibility to the rape victim than did females. Males also granted shorter sentences to rapists whose victims are described as provocative. (LaFree, 1980:846) Such a study boasts of meticulous internal validity with its total manipulation of independent variables through theoretical constructs, but this, along with its sample of 320 students from the same university, render its external validity low.

The Aftermath of Rape by McCahill, Meyer, and Fischman is a comprehensive study which in part, associates specific rape variables with court convictions. The authors focused upon 171 cases that were referred to the Court of Common Pleas in Philadelphia, and listed the percentages of convictions obtained when various conditions existed. While perceived victim precipitation lessened the chances of conviction, intimidation with a weapon increased them. As the victim's age increased, convictions decreased. When other sexual acts accompanied the target offense, convictions rates increased. On the other hand, rapes occurring in the rapist's home produced fewer convictions than those occurring elsewhere.(Kanekar and Kolsawalla, 1980:154) These researchers also explored the effects of various combinations of variables. For example, the rape of a child or adolescent accompanied by roughness on the offender's part offsets some victim precipitation to establish a conviction rate of 71.4%. The unprecipitated rape of an unmarried victim attains a 90.6% conviction rate despite the absence of a weapon.(McCahill, Meyer and Fischman, 1979:190)

The most consistent finding concerning rape studies is that their findings are inconsistent. Discrepancies arise from methodological differences in sample size, nature of sample source, and definitions of rape. Rape researchers should be careful to delineate their methodologies, thus exposing their inherent limitations. The step would facilitate an understanding of where acceptance ends and skepticism requiring further inquiry begins. A greater consensus regarding goals and methods of rape research is also needed. Finally, there must be a concerted effort toward identifying the variables that are influential in the convictions and sentencing of forcible rape offenders. Only then can our criminal justice system understand its present practices and move toward a more rational system of processing rape cases.

III. METHODOLOGY

This study focuses on the victims of rape by examining both the demographic characteristics of the victim and the offender, and the variables involved in the circumstances of the rape. The purpose of this study is to further answer the questions of: Who is the rape victim? Who is the rapist? What is the prior relationship between the victim and the offender?, and In what settings are rapes likely to occur?

The victim sample for this study was developed by identifying the defendants charged with one of the following four degrees of rape:

Aggravated Rape: Unlawful sexual intercourse or unnatural sexual intercourse, accomplished by force or against the victim's will, or by reason of threat of bodily injury. Such intercourse must be committed in conjunction with certain felonies, or with acts of producing serious bodily injury, or with the aid or abetment of one or more persons.

Rape: Unlawful sexual intercourse or unnatural sexual intercourse, accomplished by force, or against the will of the victim, or compelled by threat of bodily injury.

Assault With Intent to Rape: Constituted by the existence of facts which bring the offense within the definition of an assault, coupled with the intention to commit the crime of rape.

Indecent Assault and Battery: Constituted where the facts are within the definition of assault and battery and is coupled with the commitment of indecent sexual acts, i.e., unconsented and offensive touching of the breasts, buttocks, thighs and pubic area.

The sample was collected during a one year period of August 1, 1980 to July 31, 1981. This time period was chosen to evaluate the impact of the 1980 Rape Staircase Sentencing Law (MGL, Chapter 265, section 22) during the first year it was in effect. (The impact of the 1980 Law is examined in a separate study, Convictions and Sentences Under Rape Staircasing, Office of the Commissioner of Probation, 1985).

The sample defendants were identified through court appearance records received daily by the Office of the Commissioner of Probation -- Probation Central File from courts throughout the Commonwealth of Massachusetts. During the time period of August 1, 1980 to July 31, 1981, court appearance records of 861 defendants charged with one of the four degrees of rape, were received by the Probation Central File. The defendant sample size decreased to 512 cases due to incomplete information on some criminal records, instances of sealed records, cases involving female defendants, and defendants charged under the previous rape statute.

Because the victims could only be identified through the defendant's name, date of birth and court of arraignment, information was only available on 558 victims out of the original 861 cases. (Female rape defendants and their victims are examined in a separate study, Women Who Rape, Brown, et.al., 1984). Data on victims of rape were obtained by means of a questionnaire distributed to Victim/Witness Service Bureaus throughout the Commonwealth of Massachusetts that asked the following questions in regard to the circumstances of the offense:

1. Defendant's Relationship to Victim: At the time of the offense, was the defendant a stranger, acquaintance, friend, present lover, former lover or family member? Each relationship is defined as follows:

STRANGER - The victim had never known, or known of, the assailant.

ACQUAINTANCE - The victim had knowledge of who the assailant was.

FRIEND - The victim and the assailant had an amicable relationship.

PRESENT LOVER/SPOUSE - The victim and his/her assailant had a conjugal relationship.

PAST LOVER/SPOUSE - The victim and the assailant had at one time a conjugal relationship.

FAMILY MEMBER - Both rape victim and assailant were related through blood or marriage.

2. Age of Victim: The actual age of the victim at the time the offense occurred.
3. Sex of Victim: Male or female.
4. Ethnic Origin of the Victim: White, black, hispanic, oriental, other.
5. Ethnic Origin of the Defendant: White, black, hispanic, oriental, other.
6. Marital Status of Defendant: Single, married, divorced, separated or widowed.
7. Location of Crime: Defendant's home, victim's home, mutual residence, public place -- outside, other building, automobile, other.
8. Type of Weapon Used: None, knife, gun, other (such as: bat, pipe, mace, broken bottle).

In cases where the Victim/Witness Bureaus were unable to provide the information, Probation and Police Departments were contacted and the information was obtained from them. The victims' identities were never disclosed by any of the contacted agencies, nor was such disclosure solicited by the researchers involved with this study. No information could be obtained on 41 victims; these cases were subsequently dropped from the sample, and the sample size was reduced to 517.

The data collected for this study allows for further examination of the victims of rape, an aspect of rape previously neglected in the literature until the 1970's. The authors believe that the distribution of both defendants and victims in this sample, and the collection of data from court-affiliated agencies, has eliminated some of the bias inherent in this type of research.

IV. RESEARCH FINDINGS

1: Characteristics of Rape Victims

In Table 1, the characteristics specific to the rape victims are examined. These include age, sex and ethnic origin of the victims.

Almost 80.0% (n=413) of the victims were 40 years of age and younger. Victims between the ages of 14 to 16 (n=94, 18.2%) and 18 to 21 (n=135, 26.1%) appear to be of high risk. Although 99 cases (19.1%) contained missing information on the age of the victim, the data in Table 1 suggests a pattern of young adults as victims. This risk appears to decrease substantially as the age of the victim increases.

Although the crime of rape is generally considered a crime against women, the data in this study show that men are also victims of rape (n=17, 3.3%). Females accounted for the majority of the cases in the sample (n=481, 93%).

Nearly 75% (n=387) of the rape victims were white, while 9.9% (n=51) were black, and 3.1% (n=16) were hispanic. Oriental victims accounted for .6% (n=3) of the sample, as did those victims in the "Other" ethnic origin category. In contrast, vital statistics in Massachusetts reveal that of the total state population, 93.4% of the persons are white, 3.8% black, 2.4% hispanic and 0.8% of Massachusetts residents are oriental (U.S. Department of Commerce).

Overall, the emerging profile of a rape victim is white, female and between 18 and 21 years of age. This is consistent with past research that has been done on rape victims (for example, see Katz and Mazur, 1979).

TABLE 1: CHARACTERISTICS OF THE RAPE VICTIM

VICTIM CHARACTERISTICS	NUMBER	PERCENT
AGE		
Under 14	30	5.8%
14 - 17	94	18.2%
18 - 21	135	26.1%
22-- 25	77	14.9%
26 - 40	77	14.9%
41 and older	5	1.0%
Age Unknown	99	19.1%
TOTAL	517	100.0%
SEX		
Female	481	93.0%
Male	17	3.3%
Sex Unknown	19	3.7%
TOTAL	517	100.0%
ETHNIC ORIGIN		
White	387	74.9%
Black	51	9.9%
Hispanic	16	3.1%
Oriental	3	0.6%
Other	3	0.6%
Ethnic Origin Unknown	57	11.0%
TOTAL	517	100.0%

1a: Male Rape Victims

Public consensus generally considers victims of rape to be female. However, one must not dismiss the male who is raped. In this study, the researchers found 17 male rape victims in the sample. To determine if the male rape victim was different to rape victims as a group, the researchers looked at four variables to create a profile of male victims of rape.

The majority of male victims were under 22 years of age (n=11, 64.7%) and white (n=15, 88.2%). In 35.3% (n=6) of the cases, the defendant was a stranger to the victim, while in 58.8% (n=10) of the cases, the defendant was known to the victim as either an acquaintance (n=6, 35.3%), friend (n=1, 5.9%) or family member (n=3, 17.6%). Most of the rape assaults occurred in a residential setting: the defendant's home (n=7, 41.2%), the victim's home (n=4, 23.5%) or in a mutual residence (n=1, 5.9%). The remaining rapes took place in a public place (n=3, 17.6%), or automobile (n=1, 5.9%).

Overall, it appears that there are no significant differences between the characteristics of male and female victims of rape. Male victims are of the same age group and ethnic origin as female victims: both being an average age of 22 years of age or younger, and white. Male victims knew their assailants in two-thirds of the cases as did the other rape victims in the sample. However, there is one difference: the male rape victim is more likely than the female victim to be raped in the home of the defendant rather than in a public place or in his own home.

TABLE A: MALE RAPE VICTIMS		
CHARACTERISTICS:	NUMBER	PERCENT
<u>AGE:</u>		
Under 14	2	11.8%
14 - 17	5	29.4%
18 - 21	4	23.5%
22 - 25	1	5.9%
26 - 40	1	5.9%
41 and older	1	5.9%
Age Unknown	3	17.6%
TOTAL:	<u>17</u>	<u>100.0%</u>
<u>ETHNIC ORIGIN:</u>		
White	15	88.2%
Black	1	5.9%
Other	0	0.0%
Ethnic Origin Unknown	1	5.9%
TOTAL:	<u>17</u>	<u>100.0%</u>
<u>DEFENDANT'S RELATIONSHIP TO VICTIM:</u>		
Stranger	6	35.3%
Acquaintance	6	35.3%
Friend	1	5.9%
Present Lover	0	0.0%
Former Lover	0	0.0%
Family Member	3	17.6%
Unknown	1	5.9%
TOTAL	<u>17</u>	<u>100.0%</u>
<u>LOCATION OF CRIME:</u>		
Defendant's Home	7	41.2%
Victim's Home	4	23.5%
Mutual Residence	1	5.9%
Public Place	3	17.6%
Other Building	1	5.9%
Automobile	1	5.9%
Other	0	0.0%
TOTAL	<u>17</u>	<u>100.0%</u>

2: Characteristics of Rape Defendants

Table 2 presents data on the characteristics of the defendants charged with one of the five degrees of rape in the Commonwealth of Massachusetts. The characteristics examined are age, ethnic origin, defendant's relationship to the victim and the defendant's marital status. All the defendants in the sample were male.

Nearly 95% (n=489) of the defendants were 40 years of age and younger. More than half (n=291, 56.3%) of the defendants were under 26 years of age. Young adults, 18 to 25 years of age, constituted 44.3% (n=229) of the sample. The second largest percentage of rape charges was found among defendants aged 26 to 40 years (n=198, 38.3%). Juveniles, 17 years of age and under, accounted for 12% (n=62) of the sample.

The distribution of the ethnic origin of the defendants in the study shows that nearly two-thirds of the defendants were white (n=333, 64.4%). This group was followed by blacks (n=120, 23.2%), hispanics (n=2, 4.6%), and orientals (n=5, 17%). The ethnic category "Other", including such ethnic groups as American Indians, persons of Asian subcontinental origin, etc., accounted for almost 2% of the population (n=9, 1.7%).

The data show that almost 60% of the sampled defendants charged with rape were either related, intimately involved or known to their victims. These defendants include acquaintances (n=179, 34.6%), friends (n=71, 13.7%), present lovers (n=8, 1.5%), former lovers (n=14, 2.7%) and family members (n=25, 4.8%). Defendants who were classified as strangers constituted 37.9% (n=196) of the sample.

Single men constituted the largest group (n=346, 66.9%) of rape defendants. The second largest group charged with rape were married men (n=104, 20.1%). Divorced and separated defendants constituted 4.1% and 3.3% of the sample, respectively.

The defendants charged with rape were typically single white males between the ages of 26 and 40. Although strangers constituted the largest group of rape defendants, when one combines the other categories, the data indicate that a significant number of the defendants knew their victims.

TABLE 2: CHARACTERISTICS OF THE RAPE DEFENDANTS		
DEFENDANT CHARACTERISTICS	NUMBER	PERCENT
AGE		
Under 14	10	1.9%
14 - 17	52	10.1%
18 - 21	121	23.4%
22 - 25	108	20.9%
26 - 40	198	38.0%
41 and older	27	5.2%
Age Unknown	1	0.2%
TOTAL	517	100.0%
ETHNIC ORIGIN		
White	333	64.4%
Black	120	23.2%
Hispanic	24	4.6%
Oriental	5	1.0%
Other	9	1.7%
Ethnic Origin Unknown	26	5.0%
TOTAL	517	100.0%
DEFENDANT'S RELATIONSHIP TO VICTIM		
Stranger	196	37.9%
Acquaintance	179	34.6%
Friend	71	13.7%
Present Lover	8	1.5%
Former Lover	14	2.7%
Family Member	25	4.8%
Relationship Unknown	26	5.0%
TOTAL	517	100.0%
DEFENDANT'S MARITAL STATUS		
Single	346	66.9%
Married	104	20.1%
Divorced	21	4.1%
Separated	17	3.3%
Widowed	2	0.4%
Marital Status Unknown	27	5.2%
TOTAL	517	100.0%

3: Elements of Rape Victimization

Two elements of rape victimizations, location of crime and type of weapon used, are examined in Table 3.

Nearly half of the rapes were reported to have occurred either in a public place (n=136, 26.3%) or in the victim's home (n=116, 22.4%). Seventeen percent (n=88) of the rapes occurred in automobiles. The remaining rapes were reported to have taken place in the defendant's home (n=79, 15.3%) or in a mutual residence of the defendant and victim (n=15, 2.9%). Rapes were also reported to have taken place in other buildings (n=42, 8.1%) and other locations (n=22, 4.3%). Combined, a residential setting is the most likely spot for rapes to occur but indoor rapes were reported only slightly more than outdoor rapes.

These findings contrast somewhat with those reported by Donna D. Schram in her article, "Rape". She states that, "Relatively few rapes were actually committed in public places, such as streets or parks" (Schram, 1978:58). Next to the victim's home, Schram found the automobile and the defendant's home to be likely locations of rape (Schram, 1978:58).

Over 75% of the victims were attacked by a defendant without the use of a weapon (n=395, 76.4%). In instances where a weapon was used, it was most often a knife (n=56, 10.8%). Other weapons used in a rape attack included guns (n=15, 2.9%) and bats/pipes (n=14, 2.7%). Weapons classified as "Other" accounted for 4.1% (n=21) of the weapons used. These included such weapons as cigarettes, broken bottles and mace. Previous research has found that knives are the most common weapons used in rape victimizations (U.S. Department of Justice, 1981:25).

To summarize the data in Table 3, the rapes took place in a public place or in the victims home. No weapon was used in the majority of the rapes, however, if a weapon was used, it was most often a knife.

<u>LOCATION OF CRIME</u>	<u>NUMBER</u>	<u>PERCENT</u>
Defendant's Home	79	15.3%
Victim's Home	116	22.4%
Mutual Residence	15	2.9%
Public Place	136	26.3%
Other Building	42	8.1%
Automobile	88	17.0%
Other	22	4.3%
Location Unknown	19	3.7%
	TOTAL 517	100.0%
<u>TYPE OF WEAPON USED</u>		
None	395	76.4%
Knife	56	10.8%
Gun	15	2.9%
Bat/Pipe	14	2.7%
Other	21	4.1%
Weapon Unknown	19	3.7%
	TOTAL 517	100.0%

4: Age of Rape Victims by Age of Rape Defendants

Table 4 examines the age of rape victims by the age of defendants who have been charged with rape. These data suggest that young adults are more at risk of being raped by young defendants. Both victims and defendants are generally 25 years of age and younger.

Past research has shown that victims tend to be younger than their assailants, but many times are of the same age (Katz and Mazur, 1979:100). The statistics presented here, conform to this pattern.

TABLE 4: AGE OF RAPE VICTIMS BY AGE OF RAPE DEFENDANTS			
AGE OF VICTIMS	AGE OF DEFENDANTS		
	17 and Under (#/%)	18 - 25 (#/%)	26 and Older (#/%)
Under 14	14 (22.3)	5 (2.2)	11 (4.8)
14 - 17	18 (29.0)	37 (16.2)	39 (17.3)
18 - 21	12 (19.4)	77 (33.6)	46 (20.4)
22 - 25	2 (3.2)	34 (14.8)	41 (18.2)
26 - 40	3 (4.8)	29 (12.7)	45 (20.0)
41 and Older	0 (0.0)	3 (1.3)	2 (0.8)
Unknown	13 (20.9)	44 (19.2)	41 (18.2)
TOTAL	62 (100.0)	229 (100.0)	225 (100.0)

5: Ethnic Origin of Rape Victims by Ethnic Origin of Rape Defendants

Table 5 depicts that the victims of rape were most often attacked by someone of their own ethnic origin. In 77% of the cases, the victim and the defendant were both white. Both black and hispanic victims were assaulted by defendants of their own ethnic origin, 76.5% and 68.8% of the time respectively.

The percentage of victims who were raped by someone outside their ethnic origin was relatively low with no significant pattern emerging. Both victims and defendants of oriental and other ethnic groups were too few in number for any conclusions to be drawn.

The data presented here on the ethnicity of victims and their defendants is consistent with previous research. The literature has shown that rape, like violent crime in general, is a highly intra-racial event, that is, the victim and assailant are usually of the same race (U.S. Department of Justice, 1981:14).

ETHNIC ORIGIN OF DEFENDANTS	ETHNIC ORIGIN OF VICTIMS					
	WHITE (#/%)	BLACK (#/%)	HISPANIC (#/%)	ORIENTAL (#/%)	OTHER (#/%)	UNKNOWN (#/%)
WHITE	298(77.0)	10(19.6)	1(6.3)	2(66.7)	1(33.3)	21(36.8)
BLACK	62(16.0)	39(76.5)	2(12.5)	1(33.3)	0(0.0)	16(28.1)
HISPANIC	11(2.8)	1(1.9)	11(68.8)	0(0.0)	0(0.0)	1(1.8)
ORIENTAL	2(0.5)	1(1.9)	1(6.3)	0(0.0)	0(0.0)	1(1.8)
OTHER	7(1.8)	0(0.0)	0(0.0)	0(0.0)	2(66.7)	0(0.0)
UNKNOWN	7(1.8)	0(0.0)	1(6.3)	0(0.0)	0(0.0)	18(31.6)
TOTAL	<u>387(100.0)</u>	<u>51(100.0)</u>	<u>16(100.0)</u>	<u>3(100.0)</u>	<u>3(100.0)</u>	<u>57(100.0)</u>

6: Ethnic Origin of the Victim by Defendant's Age at Arraignment

Tables 6 and 7 examine the relationship between ethnicity and age in regard to the role they play in rape offenses. Table 6 crosstabulates the ethnic origin of the victims by the defendant's age while Table 7 presents the crosstabulation of the age of the victim by the ethnic origin of the defendant. While this may seem to be a bogus comparison, past research has shown that there appears to be a significant relationship between these two variables. Katz and Mazur, in their book, Understanding the Rape Victim, summarize their findings on the affect of race/ethnicity and age as "adults are more vulnerable to an offender of the same race... interracial offenders are somewhat older than interracial rapists" (Katz and Mazur, 1979:108).

Table 6 depicts that defendants in the 26-40 age group, accounted for assaulting 143 (36.9%) of the white victims, 23 (45.1%) of the black victims, and 7 (43.7%) of the hispanic victims. Other common defendant age groups in the study were the 18 to 21 and the 22 to 25 year olds. The victims prone to rape attacks by defendants in the 18 to 21 age group were white (n=95, 24.5%) and black (n=13, 25.5%). As the data shows, defendants 22 to 25 years of age assaulted white victims in 83 (21.4%) of the rape cases.

AGE OF DEFENDANTS	ETHNIC ORIGIN OF VICTIMS					
	White (#/%)	Black (#/%)	Hispanic (#/%)	Oriental (#/%)	Other (#/%)	Unknown (#/%)
Under 14	7(1.8)	1(1.9)	0(0.0)	0(0.0)	0(0.0)	2(3.5)
14 - 17	38(9.8)	5(9.8)	1(6.2)	2(66.7)	2(66.7)	4(7.0)
18 - 21	95(24.5)	13(25.5)	0(0.0)	1(33.3)	0(0.0)	12(21.0)
22 - 25	83(21.4)	7(13.7)	6(37.5)	0(0.0)	0(0.0)	12(21.0)
26 - 40	143(36.9)	23(45.1)	7(43.7)	0(0.0)	1(33.3)	24(42.1)
41 and Older	20(5.2)	2(3.9)	2(12.5)	0(0.0)	0(0.0)	0(0.0)
Unknown	1(0.2)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	0(0.0)
Total	<u>387(100.0)</u>	<u>51(100.0)</u>	<u>16(100.0)</u>	<u>3(100.0)</u>	<u>3(100.0)</u>	<u>57(100.0)</u>

7: Ethnic Origin of the Defendants by Age of Victims

Table 7 examines the ethnicity of the defendant by the age of the victim. Of the white defendants, 95 (28.5%) of the cases involved a victim between the age of 18 to 21, 46 (13.8%) cases involved a victim who was 22 to 25 years of age, and there were 73 (21.9%) cases where the victim was 14 to 17 years old. Black defendants appear to victimize persons between 18 and 21 years. Hispanic defendants tended to assault young persons more often.

There are some similarities in comparing age and ethnic origin of victims and defendants. From the data in Tables 6 and 7, a common risk ethnic group is white for the victims. Although the age of the victim tends to be the same as that of the assailant, the younger population is at a greater risk.

TABLE 7: ETHNIC ORIGIN OF THE DEFENDANTS BY AGE OF VICTIMS

AGE OF VICTIMS	ETHNIC ORIGIN OF DEFENDANTS					
	White (#/%)	Black (#/%)	Hispanic (#/%)	Oriental (#/%)	Other (#/%)	Unknown (#/%)
Under 14	21(6.3)	3(2.5)	4(16.7)	0(0.0)	0(0.0)	2(7.7)
14 - 17	73(21.9)	11(9.1)	5(20.8)	1(20.0)	4(44.4)	0(0.0)
18 - 21	95(28.5)	31(25.8)	2(8.3)	1(20.0)	1(11.1)	5(19.2)
22 - 25	46(13.8)	25(20.8)	3(12.5)	0(0.0)	0(0.0)	3(11.5)
26 - 40	45(13.5)	21(17.5)	5(20.8)	2(40.0)	0(0.0)	4(15.4)
41 and Older	4(1.2)	0(0.0)	0(0.0)	0(0.0)	0(0.0)	1(3.8)
Unknown	49(14.7)	29(24.1)	5(20.8)	1(20.0)	4(44.4)	11(42.3)
Total	333(100.0)	120(100.0)	24(100.0)	5(100.0)	9(100.0)	26(100.0)

8: Defendant's Relationship to Victim by Offense

Table 8 examines the defendant's relationship to the victim by the degree of rape that the defendant was charged with. Most often, defendants were charged with rape and assault with intent to rape, and were either strangers to, or acquaintances of the victims.

Of the defendants charged with aggravated rape, 47.4% (n=27) were strangers and 33.3% (n=19) were acquaintances. For those defendants who were charged with rape, 40.7% (n=110) were acquaintances while 32.6% were strangers. When compared to the defendants charged with aggravated rape the defendants charged with rape were more likely to be a friend of the victim (n=36, 13.3% versus n=4, 7%) or a family member (n=16, 5.9% versus n=1, 1.7%).

Just as those charged with aggravated rape or rape, the defendants charged with assault with intent to rape, and indecent assault and battery were either strangers or acquaintances. Assault with intent to rape cases had the highest percentage of defendants classified as strangers (n=62, 51.2%). Indecent assault and batteries were just as likely committed by strangers or acquaintances. Both groups committed the offense 27.5% of the time.

RELATIONSHIP	OFFENSE			
	Aggravated Rape (#/%)	Rape (#/%)	Assault w/ Intent to Rape (#/%)	Indecent Assault & Battery (#/%)
Stranger	27(47.4)	88(32.6)	62(51.2)	19(27.5)
Acquaintance	19(33.3)	110(40.7)	31(25.6)	19(27.5)
Friend	4(7.0)	36(13.3)	15(12.4)	16(23.2)
Present Lover	1(1.7)	4(1.5)	0(0.0)	3(4.3)
Former Lover	2(3.5)	8(3.0)	3(2.5)	1(1.4)
Family Member	1(1.7)	16(5.9)	4(3.3)	4(5.8)
Unknown	3(5.3)	8(3.0)	6(5.0)	7(10.1)
Total	57(100.0)	270(100.0)	121(100.0)	69(100.0)

9: Location of Crime by Type of Weapon Used

The data in Table 9 examine the location of crime by the type of weapon used. In over 75% of the cases sampled, there was no weapon used in the commission of the rape offense. If a weapon was used, it was most frequently a knife.

In descending order, assailants utilized knives most often in the victim's home (n=15, 26.8%), public places (n=13, 23.3%), and in automobiles (n=10, 17.8%). Guns, the next most frequent type of weapon known to be used in the commission of a rape offense, were utilized in an automobile (n=8, 53.3%), the victim's home (n=2, 13.3%), and in a public place (n=2, 13.3%).

The group of weapons classified as "Other," i.e. bats, pipes, mace, broken bottles, were used in 35 cases of rape. The victim's home accounted for the most frequent use of a weapon other than a knife or gun (n=13, 37.1%) followed by the defendant's home (n=6, 17.1%) and public places (n=5, 14.3%).

The published rape literature suggests that weapon use in rapes has had a direct relationship to the location of the rape offense. Victims of rape and attempted rape are more likely to be attacked by an armed assailant if the incident occurs in or near their homes, than if it occurs in a location such as a street or park (U.S. Department of Justice, 1979:25). The data presented here is consistent with this pattern of weapon use and the location of the rape offense.

TABLE 9: LOCATION OF CRIME BY TYPE OF WEAPON USED

LOCATION OF CRIME	TYPE OF WEAPON				
	None (#/%)	Knife (#/%)	Gun (#/%)	Other (#/%)	Unknown (#/%)
Defendant's Home	63(15.9)	9(16.0)	1(6.6)	6(17.1)	0(0.0)
Victim's Home	86(21.7)	15(26.8)	2(13.3)	13(37.1)	0(0.0)
Mutual Residence	12(3.0)	0(0.0)	0(0.0)	3(8.6)	0(0.0)
Public Place	114(28.9)	13(23.2)	2(13.3)	5(14.3)	2(9.5)
Other Building	34(8.6)	5(8.9)	0(0.0)	2(5.7)	1(6.2)
Automobile	64(16.2)	10(17.8)	8(53.3)	6(17.1)	0(0.0)
Other	20(5.0)	1(1.8)	1(6.6)	0(0.0)	0(0.0)
Unknown	2(0.5)	3(5.3)	1(6.6)	0(0.0)	13(81.2)
Total	395(100.0)	56(100.0)	15(100.0)	35(100.0)	16(100.0)

10: Location of Crime by Offense

In Table 10, the location of the rape by the offense with which defendants were charged is examined. Of the aggravated rape cases, 26.3% (n=15) were alleged to have occurred in the victim's home while 22.8% (n=13) were reported as having occurred in a public place. The data show that the victim's home (n=62, 23%) and public places (n=66, 24.4%) were also reported most often as the location of the offense of rape.

For aggravated rape cases, other buildings (n=9, 15.8%) and automobiles (n=8, 14.0%) were the third and fourth frequent locations reported by the rape victims. In instances of rape, automobiles (n=52, 19.3%) and the defendant's home (n=49, 18.1%) were the third and fourth frequent locations for the crime to have occurred.

Similar patterns exist for cases of both assault with intent to rape and indecent assault and battery. Approximately 30% of these assaults occurred in a public place. Assault with intent to rape cases that occurred in either the victim's or the defendant's home were reported as the second and third most frequent locations. The remainder of the incidents were distributed throughout the location categories.

LOCATION	OFFENSE			
	Aggravated Rape (#/%)	Rape (#/%)	Assault w/ Intent to Rape (#/%)	Indecent Assault & Battery (#/%)
Defendant's Home	6(10.5)	49(18.1)	14(11.6)	10(13.4)
Victim's Home	15(26.3)	62(23.0)	30(24.8)	9(13.0)
Mutual Residence	2(3.5)	6(2.2)	4(3.3)	3(4.3)
Public Place	13(22.8)	66(24.4)	37(30.6)	20(29.0)
Other Building	9(15.8)	21(7.8)	4(3.3)	8(11.6)
Automobile	8(14.0)	52(19.3)	21(17.4)	7(10.1)
Other	2(3.5)	10(3.7)	6(5.0)	4(5.8)
Unknown	2(3.5)	4(1.5)	5(4.1)	8(11.6)
Total	57(100.0)	270(100.0)	121(100.0)	69(100.0)

11. Type of Weapon Used by Offense

The type of weapon used by offense is examined in Table 11. In less than 25% of the rapes was a weapon used. The percentage of weapon use was highest in the assault with intent to rape cases and lowest in the indecent assault and battery cases. As noted earlier in this study, the most frequently used weapon in the commission of all types of rapes was a knife.

Of the aggravated rape cases, a knife was used in 12.3% (n=7) of the instances, while weapons classified as "Other," i.e. bats, pipes, broken bottles, were used in 8.8% (n=5) cases. Rape cases followed a similar distribution, but also included guns as being the weapon of use 3% (n=8) of the time.

Of the assault with intent to rape cases, defendants used a knife in almost 15% (n=18) of these cases, and "Other" weapons in almost 12% (n=10) of the cases. Guns were used in 3.3% (n=4) of these cases. Weapon use occurred in a small number of indecent assault and battery cases (11.5%, n=8); half of these weapons were classified as "Other," i.e. bats, pipes, broken bottles 5.8% (n=4).

WEAPON	OFFENSE			
	Aggravated Rape (#/%)	Rape (#/%)	Assault w/ Intent to Rape (#/%)	Indecent Assault & Battery (#/%)
None	42(73.7)	213(78.9)	85(70.2)	55(79.7)
Knife	7(12.3)	30(11.1)	18(14.9)	1(1.4)
Gun	0(0.0)	8(3.0)	4(3.3)	3(4.3)
Other	5(8.8)	16(5.9)	10(11.8)	4(5.8)
Unknown	3(5.3)	3(1.1)	4(3.3)	6(8.7)
Total	57(100.0)	270(100.0)	121(100.0)	69(100.0)

V. CONCLUSION

This study, a presentation of rape victimizations in the Commonwealth of Massachusetts, examined demographic characteristics of both the victims and the defendants of rape, and the relationships between those. Location of the rape offense and the use of weapons in the commission of rape offenses were also observed factors.

The findings indicate that the majority of rape victims were 25 years of age and under (n=336, 65%). Although females accounted for the majority of victims (n=48, 93%), the researchers found that seventeen males were victims of rape (3.3%). Almost 75% of the victims were white, while 9.9% (n=51) were black, and 3.1% (n=16) were hispanic.

Demographically, defendants and victims were of a similar age; the majority being 25 years of age and younger (n=291, 56.3%). Data on ethnicity revealed that most victims were white (n=387, 74.9%), followed by blacks (n=51, 9.9%) and hispanics (n=16, 3.1%). In comparison, most defendants were also white (n=333, 64.4%) then followed by blacks (n=120, 23.2%), and hispanics (n=24, 4.6%).

Rape defendants who were strangers to the victims constituted 37.9% (n=196) of the sample. However, in almost 60% of the cases, the defendants knew the victim as either a family member, friend, former or present lover, or an acquaintance. The majority of the defendants were single (n=346, 66.9%), followed by married defendants (n=104, 20.1%). The remainder were either divorced, separated or widowed.

The rape assaults typically occurred in a public place (n=136, 26.3%), the victim's home (n=116, 22.4%), an automobile (n=88, 17%), or in the defendant's home (n=79, 15.3%). A residential setting was the most likely location for the commission of the crime. In over 75% of the rapes, there were no weapons used. When weapons were involved, knives were the most common weapon used (n=56, 10.8%), followed by guns (n=15, 2.9%) and then bats or pipes (n=14, 2.7%).

In summation, the data revealed that there is a close demographic correlation between rape victims and their defendants. Both tend to be from the same age group and ethnic background. Examination of the characteristics of male victims shows that they are similar to the group of rape victims as a whole. The findings indicate that rapes occur most often in a residential setting, and weapons are rarely used in the commission of the crime.

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OFFICE OF THE COMMISSIONER OF PROBATION - RESEARCH & STATISTICAL BUREAU

RAPE VICTIM QUESTIONNAIRE

DEFENDANT'S NAME _____

DATE OF BIRTH _____ I.D. NUMBER _____

DATE OF ARRAIGNMENT _____ DISTRICT COURT: _____

OFFENSE _____ SUPERIOR COURT: _____

INSTRUCTIONS: Please circle response or fill in blank.

I. DEFENDANT'S RELATIONSHIP TO VICTIM AT TIME OF OFFENSE

- 1)stranger
- 2)acquaintance
- 3)friend
- 4)present lover
- 5)former lover
- 6)family member

IA. MARITAL STATUS OF OFFENDER

- 1)single
- 2)married
- 3)divorced
- 4)separated
- 5)widowed

II. AGE OF VICTIM _____

III. SEX OF VICTIM

- 1)male
- 2)female

VI. LOCATION OF CRIME

- 1)defendant's home
- 2)victim's home
- 3)mutual residence
- 4)public place - outside
- 5)other building
- 6)automobile
- 7)other

IV. ETHNIC ORIGIN OF VICTIM

- 1)white
- 2)black
- 3)Hispanic
- 4)Oriental
- 5)Other

VII. TYPE OF WEAPON USED

- 1)none
- 2)knife
- 3)gun
- 4)bat/pipe
- 5)other

V. ETHNIC ORIGIN OF DEFENDANT

- 1)white
- 2)black
- 3)Hispanic
- 4)Oriental
- 5)Other

RETURN TO: MARGE BROWN, Director of Research
Research and Statistical Bureau
Office of the Commissioner of Probation
One Ashburton Place, Room 405
Boston, MA 02108

